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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RIANA BUFFIN and CRYSTAL
PATTERSON, on behalf of themselves and
others similarly situated,

Plaintiffs,

v.

VICKI HENNESSY in her official capacity
as the San Francisco Sheriff, *et al.*,

Defendants.

CASE NO. 4:15-cv-04959-YGR

**JOINT STATEMENT REGARDING
COMPLIANCE WITH FINAL JUDGMENT**

1 Plaintiffs and Defendant the San Francisco Sheriff hereby submit this Joint Statement in
2 advance of the compliance hearing scheduled for November 22, 2019. *See* Dkt. 372.

3 **I. COMPLIANCE UPDATE**

4 **A. Legislative Approval of Settlement**

5 On September 3, 2019, this Court entered final judgment, following the parties’
6 submission of a stipulated injunction and a hearing. *See* Dkt. 372; *see also* Dkts. 368, 371. The
7 Court conditioned the obligations set forth in the judgment upon the City and County of San
8 Francisco approving the additional expense the injunction would require. Dkt. 372 at 4. The
9 Sheriff was ordered to “expend all reasonable efforts” to bring the legislation to a vote within
10 ninety (90) days. *Id.* The ninety day period expires on December 2, 2019.

11 On September 30, 2019, the City Attorney’s Office submitted to the San Francisco Board
12 of Supervisors (the “Board”) a proposed ordinance approving the settlement. *See* Exhibit 1 at 15
13 [October 8 Board Minutes]. The ordinance was formally introduced at the Board on October 8,
14 2019, and the Board’s President assigned the legislation to the Government Audit and Oversight
15 Committee. *Id.* The Government Audit and Oversight Committee met on October 17, 2019, and
16 recommended that the Board adopt the ordinance. Exhibit 2 [October 17 GAO Minutes].

17 On October 22, 2019, the Mayor introduced two additional ordinances for consideration
18 by the Board. One of those ordinances proposed five new employee positions to implement the
19 stipulated judgment, and the other appropriated \$2,191,869 from the City’s budget reserve
20 account to cover implementation costs anticipated in the first six months. The Board’s President
21 assigned these ordinances to the Board’s Budget and Finance Committee. The Budget and
22 Finance Committee met on November 6, 2019, and recommended that the Board adopt the two
23 ordinances.

24 Under the City’s Charter, the Board must approve each ordinance twice, at two meetings
25 at least five days apart, before transmitting the ordinances to the Mayor for her review. On
26 November 12, the Board of Supervisors unanimously approved all three proposed ordinances on
27 first reading. Exhibit 3 [November 12 Board Minutes]. Next week, on November 19, 2019, the
28 Board of Supervisors will consider the ordinances on second reading. Exhibit 4 [November 19

Agenda]. If the Board approves the ordinances on November 19, the Mayor will have ten days to review the ordinances. Unless the Mayor vetoes the ordinances, they will become effective on the date the Mayor signs or returns them to the Board unsigned.

B. Sheriff's Preparations for Complying with Injunction

The Sheriff, along with the Police Department, District Attorney's Office, and the Pretrial Diversion Project, has worked with the Mayor's Office to identify the changes that will be necessary to implement the stipulated injunction and the financial support necessary to such implementation. Those meetings served as the basis for the ordinances introduced by the Mayor's Office as described above. In anticipation of the City's approval of the funding, the Sheriff plans to meet with all relevant stakeholders to discuss the next steps that will have to be taken so that relevant agencies are able to implement the new procedures within 90 days of the ordinances' effective date.

* * *

The parties believe that the Sheriff has thus far complied with her obligations set forth by this Court and do not believe that attendance at the scheduled November 22, 2019 compliance hearing is necessary. The parties respectfully request a compliance hearing be set for May 1, 2019, which will allow Plaintiffs sufficient time to review the Sheriff's first set of data, which is scheduled to be produced on April 1, 2019.

Dated: November 15, 2019

Respectfully submitted,

LATHAM & WATKINS LLP

Robert E. Sims

Sadik Huseny

Tyler P. Young

By: /s/ Sadik Huseny

Sadik Huseny

Attorneys for Plaintiffs

Riana Buffin and Crystal Patterson

///

1 Dated: November 15, 2019

Respectfully submitted,

2 DENNIS J. HERRERA
City Attorney

3 By: /s/ Jeremy M. Goldman
4 Jeremy M. Goldman

5 Attorneys for Defendant
6 *Sheriff Vicki Hennessy*

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SIGNATURE ATTESTATION

I, Sadik Huseny, am the ECF user whose ID and password are being used to file this Stipulation and [Proposed] Order to Extend Time for Plaintiffs to file Motion for Attorneys' Fees. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from each of the other Signatories.

Dated: November 15, 2019

/s/ Sadik Huseny

Sadik Huseny